P12

1935.

Department of L.R. + Sett

OFFICE Distt Bijapur

STATION Sholapur

No. 352

B6107/34

Dated 26-1-35

Pages in the file

(SUBJECT.)

Land (Encumbrance) - Kollegal Tal
Chikkahalli village - S.No 4 f/c -
D.C.'s permission by Forest Dept
Registration formalities - under Sa

1 6071/4/10/34

G.F. 50.

REVENUE DEPARTMENT.

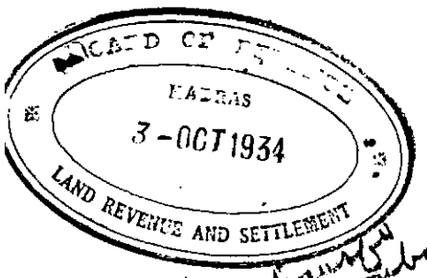
A-605-6

Received ..... 192 *Registered* 192

B

D

Subject.



Land - Kollegal Taluk - Chikkailur village - S.No.42/c - private purchase by the Forest Department -

***

Quarter ? Extension ? Amendment B

ENCLOSURES.

No 1

Spare copies ....

Ref. No.6071/34-A5

Station COIMBATORE, *Dated the* 29th September 1934 192

From (Name) G. W. Wells, Esq., I.C.S.,

(Designation) Collector

To The Secretary to the ~~Government~~ COMMISSIONERS OF LAND REVENUE & SETTLEMENT Department.

MADRAS.

Sir,

The Conservator of Forests sanctioned on 28/6/30 an estimate for Rs.6932-8-0 for the construction of subordinate lines at Kothanur. As there was no poramboke land available for the purpose and as the work had to be taken up urgently and with a view to avoid all delay and trouble involved in the acquisition proceedings, the District Forest Officer Kollegal purchased S.No.42/c measuring 2.30 acres assessed at Rs.2-9-0 of Chikkailur village by private negotiations. The price offer was Rs.175/ The owner of the land Chithasari executed a sale deed on 5/7/30 in the name of the District Forest Officer, Kollegal on behalf of the Secretary of State for India and registered it. A copy of it is enclosed. Following this, transfer of registry was also ordered in the name of the

District Forest Officer Kollegal and Rs.2-14-0 being the assessmen of Rs.2-9-0 and cess thereon collected from him.

2. Under B.S.O. No.90 para (2) p.536 Vol III, lands required for Government purposes should always be acquired under the land acquisition Act. The transaction mentioned in para 1 was irregular. The point for the Board's consideration is whether S.No.42/c of Chikkailur village may be transferred to 'Forest Subordinate lines' poramboke as the collection of land Revenue on a land belonging to Government is not justifiable and necessary correction be made in the R.S.R. and other connected records.

3. There is no other case of the kind in the Kollegal Division.

M/Subramanian
1-10-34

NNK.1/10/34.

For Collector

2-OCT 1934

3/3

1930 ஆம் ஆண்டு ஜனவரி மாதம் 1 ஆம் திகதியன்று ஸ்ரீ
ஸ்ரீ ஸ்ரீ சுவாமிகளின் ஜீவசமாதி ஆலயத்தில் பூஜை
செய்வதற்காக ஸ்ரீ ஸ்ரீ சுவாமிகளின் சீடர்களில்
ஒருவரான ஸ்ரீ ஸ்ரீ சுவாமிகள் அவர்களால் ஸ்ரீ ஸ்ரீ
சுவாமிகளின் ஜீவசமாதி ஆலயம் அமைக்கப்பட்ட
காணியை ஆதாரமாகக் கொண்டு பூஜை
செய்கின்ற சாதனம் இராமையர் காட்டும் எனும்
இடத்தில் பூஜை செய்வதற்காக இராமையர்
அவர்களுக்கு ரூபா 175.00 ஐ
தானமாக எழுதிக் கொடுத்த இடத்தில்
இருந்து கொண்டு ஸ்ரீ ஸ்ரீ சுவாமிகளின்
பூஜை செய்து வந்தார். ஸ்ரீ ஸ்ரீ சுவாமிகள்
அவர்கள் ஜீவசமாதி அடைந்த பின்பு
அவரின் சீடர்களில் ஒருவரான ஸ்ரீ ஸ்ரீ
சுவாமிகள் அவர்கள் ஸ்ரீ ஸ்ரீ சுவாமிகளின்
ஜீவசமாதி ஆலயத்தில் பூஜை செய்து
வந்தார். ஸ்ரீ ஸ்ரீ சுவாமிகள் அவர்கள்
ஜீவசமாதி அடைந்த பின்பு அவரின்
சீடர்களில் ஒருவரான ஸ்ரீ ஸ்ரீ சுவாமிகள்
அவர்கள் ஸ்ரீ ஸ்ரீ சுவாமிகளின் ஜீவசமாதி
ஆலயத்தில் பூஜை செய்து வந்தார்.
ஸ்ரீ ஸ்ரீ சுவாமிகள் அவர்கள் ஜீவசமாதி
அடைந்த பின்பு அவரின் சீடர்களில்
ஒருவரான ஸ்ரீ ஸ்ரீ சுவாமிகள் அவர்கள்
ஸ்ரீ ஸ்ரீ சுவாமிகளின் ஜீவசமாதி ஆலயத்தில

Draft

C.N

Land - Coimbatore - Kollegal Taluk - Chikkadu village - S No 42/c - Transfer to Forest department

rpt-2 Cf. 13 6107/34 A

Ref No B 6107/34-1 dt 10-10-34

Forwarded to the Chief Conservator of Forests.

2/ He is requested to be so good as to state the circumstances under which the land in question was purchased by private negotiation instead of acquiring it under the Land Acquisition Act.

for 6/10/34

A.S.(L.R.)
Thro DS
8/10/34
and 9-10.

Issue
6/10/34

To
The C. C. of Forests.
with an enclosure to be returned

11 OCT 1934
9/14/10

57

C.F. 30.

Revenue **DEPARTMENT.**

B 6107/34

B7656

BOARD OF REVENUE
14 DEC 1934
LAND REVENUE AND SETTLEMENT

Received ..... 19 *Registered* 19

Subject.

Land - Kollegal Taluk - Chikkailur village - S.No.42/c - private purchase by the Forest Department.

ENCLOSURES.
No. .....
.....
Spare copies .....

R.O.C. No. 6071/34-A-5

Station Coimbatore, *Dated the* 12th Decr. 1934. 19

From (Name) A.H.A.Todd Esq.,I.C.S.,

(Designation) Collector of Coimbatore.

To The Secretary to the ~~Government of Madras~~ Commissioners of Land Revenue and Settlement, Madras.

~~Department.~~

Sir,

Ref:- This office letter R.O.C. 6071/34-A-5 dated 29-9-1934.

***

The orders passed in the above matter may kindly be communicated to me.

12.12.34

for Collector.

A.P.L/13-12.P

13/XII

DEPT.
13 DEC 1934

C.F. 16.

DRAFT FOR APPROVAL.

CAS

Date. Initials.

When received for fair copying ..
When copied ..
When examined..
When signed ..
When despatched.

DISPATCHED 25 DEC 1934

SUBJECT:— Land (Coimbatore) — Kollegal Taluk — Chikkahalur village — S No 42/C — Private purchase by the Forest department.

H.S(dR.)

READ AGAIN ....., dated ..... 19....

" " ..... " ..... 19....

READ *ALSO*:—

p 5 Cf. B No 7656/34 From the Coll^r of Coimbatore, Roc 6071/34 A5 dated 12/12/1934 9

" ..... " ..... " ..... " ..... 19....

" ..... " ..... " ..... " ..... 19....

Order / Resolution Ref / Rout. No. B 6167/34-2, dated 20/12/1934.

The Board awaits the remarks of the Chief ~~Conservator~~ of Forests in the matter and Orders will be passed as soon as his ~~remarks are~~ reply is received.

2 The Chief Conservator of Forests is requested to be so good as to expedite his reply to B's Ref No B 6167/34-1 dt 10-10-34.

Fwd 20/12/34

Fwd be reptd.

p 34

To

The Coll^r of Coimbatore
para 1 only

The C. C. of Forests
para 2 only

20/12/34

11

C.F. 32.

Forest DEPARTMENT.

In reply, please quote number, date and short title *

Received *Registered*

B 6107/34

(From (Name) A. Wimbush Esq., I.F.S.,

(Designation) Chief Conservator of Forests,

Post Box ....., (Station) Chepauk, Madras.

Telegraphic Address "Chief Conservator".

FORESTS 3 DEC 1934 LAND REVENUE AND SETTLEMENT

To

The Secretary to the Board of Revenue,
Land Revenue and Settlement,
Chepauk, Madras.

L. Dis. No. 7650/34/A2 *dated* 18th Decr. 1934.

Sir,

SUBJECT:- Land acquisition - Kollegal Taluk - Chi[illegible] vill[illegible] acquisition by private ne[illegible] cir[illegible]ces reported.

Refce:- Board's Ref.B.No.6107-34-1, dated 10-[illegible]

ENCLOSURES.....
Sale deed in original
Copy of D.F.O's
~~782/34, d/-11-7-34.~~

SPARE COPIES .....
" " 6-8-34.

The land in question is said to have been purchased by private negotiations merely because [illegible] the construction of the subordinates lines had to be taken up urgently; also because the Revenue Di[illegible] Officer, Kollegal has stated in a similar case the land might be purchased by private negoti[illegible] Please see the Kollegal District Forest Officer's R.O.C.No.782-34-A, dated the 11th July 1934 and th 6th August 1934 to the Collector of Coimbatore, copies enclosed. The District Forest Officer is being informed that he should not have overlooked the orders issued in G.O.No.1697 Press, Revenue Department dated the 30th August 1927 and that if the land in question was required urgently he should have applied to the Revenue Department for the application of the emergency provisions of the Land Acquisition Act.

(R)

C. [illegible] 21-12

for Chief Conservator.

21.12.34

(P.T.O

DKS/19.xii.

DESPATCHED
21 DEC 1934

Enclosures.

Copy of office Note R.O.C.No.782/34-A, dated 11th July 1934, from the District Forest Officer, Kollegal, to the Collector of Coimbatore.

An estimate for the construction of subordinates lines at Kothanur to accommodate 10 Forest subordinates was sanctioned by the Conservator for Rs.6932-8-0 in Conservator's S.O.No.28/30-31, dated 28th June 1930, vide Conservator's R.O.C.No.2103/29-E, dated 28th June 1930.

2. The Range Officer, Kollegal, in his R.O.C.No.728/29, dated 31st October 1929, reported that no Government poramboke land was available for the construction of subordinates lines and that acquisition proceedings might be taken to acquire about 3 acres of land near the village.

3. In this office R.O.C.No.1548/29-A, dated 28th November 1929,

he was asked to state if there was any patta field that could be easily procured by private negotiations. In his endorsement R.O.C. No.728/29, dated 7th January 1930, the Range Officer, Kollegal, reported that about 3 acres of land in S.F.No.42 (c) of Chikkailur Village was available for acquisition. In this office R.O.C.No.1548/29-A, dated 18th January 1930, the Range Officer, Kollegal, was ordered to enter into negotiations with the owner of the land and was informed that, if it was not possible to acquire the land by private negotiations, the Revenue Divisional Officer, Kollegal, would be addressed to start acquisition proceedings.

4. In his endorsement dated 3rd February 1930, the Range Officer, Kollegal, reported that the land 42 (c), measuring 2.30 acres, would be sufficient for the purpose and that the owner would sell the land for Rs.300/-. He also suggested that Revenue Officials may be consulted as to the value of the land before the amount is settled finally.

5. The Revenue Divisional Officer, Kollegal, was addressed in this office R.O.C.No.1548/29-A, dated 10th February 1930, to give his opinion regarding the worth of the land in question. It was ascertained that the land was worth Rs.150/- as estimated by the ryots and village officers. In this office R.O.C.No. 1548/29-A, dated 6th April 1930, the owner of the land was asked to state if he was willing to sell the land for Rs.150/-, the value fixed by the Tahsildar and was informed that, if he would not sell it for the price offered, steps would be taken to acquire the land through Revenue Officers under the Land Acquisition Act.

6. After a further correspondence, the owner consented to part with the land for Rs.175/-. Accordingly, a provision of Rs.175/- was made for the purchase of land in the revised estimate submitted to the Conservator for sanction and his sanction was obtained.

7. As the work had to be taken up urgently and also with a view to avoid all delay and trouble involved in the acquisition proceedings, the land was purchased by private negotiations after making due provision in the estimate for the purchase of the land. The amount was paid in voucher No.52 of July 1930.

Copy of office-note R.O.C.No.782/34-A, dated 6th August 1934, from the District Forest Officer, Kollegal, to the Collector of Coimbatore.

Subject:-Land - Kollegal Taluk - Chikkailur village - purchase of

The land was purchased by private negotiations on the precedent of a similar case in Ponnachy village (referred to by the Collector in his D.Dis.No.8483/32) -- Vide this office R.Dis. No.351/30, wherein the Revenue Inspector, the Tahsildar of Kollegal and the Revenue Divisional Officer, Kollegal, stated that the land might be purchased by private negotiations as the owner was willing to part with the land -- please see pages 62 and 64 of R.Dis.No.351/30 submitted herewith for perusal and return.

2. There are no other cases of purchase of land by private negotiation except the one under reference.

3. The practice of purchasing lands by private negotiation is not now followed.

Land - (Coimbatore)
Kollegal Taluk -
Chikkaiilur village
S No 42/c - Private
purchase by Forest Depart-
ment - Registry as pramboke
orders passed.

Jpt 2 Cf. B6107/34 Q.
p 5 Cf. Bds Ref. B6107/34-1 dt 16-10-34
p 11 Cf. B30/35 Q
Resolu No 352 dt 26

The Collector is informed
that it is unnecessary
to take proceedings under
the Land Acquisition Act
at present, provided that
the vendor had absolute title
to the land in question and
that no minor's interests
are involved.

that in the circumstances reported — He is also informed
there is no objection to
the registry of the land
as Forest Subordinate Land
pramboke.

Jn 24/1/35 — Gf 26.1.35

To
The Collr of Coimbatore
Copy to the C.C. of Forests

Jn 26/1/35

Note File

Land - (Coimbatore) - Kollegal Taluk Chikkajalur village - S No 42/c - Private purchase by the Forest Department - Registry as Forest Subordinate lines poramboke.

B 6107/34 pp 1-2 C.F.
B 30/35 p 11 C.F.

To A.S. (L.R.)

Please see the letter from the Collr of Coimbatore at pp 1-2 C.F., Board's reference at page 5 C.F. and the C.C's reply at p 11 C.F.

2/ S No 42/c of Chikkajalur village, Kollegal Taluk measuring 2.30 acres was purchased by private negotiations for Rs 175 for the construction of Forest Subordinates' lines at Kollegal. The sale deed was also executed and registered. The Collector reports that subsequent to the transaction the land was registered in the name of the D.F.O Kollegal and that Rs 2-14-0 is being collected from him - towards assessment (Rs 2-9-0) and the Commissioner He requests Board's orders as to whether the land may be transferred to Forest Subordinate lines poramboke as the collection of land revenue on a land belonging to Govt is not

justifiable

3/ under P.S.O. 90 paragraph 2 lands required for government purposes should always be acquired under the L.A. Act. It is stated that the land in question was ~~for~~ to purchase by private negotiation merely because the construction of the subordinates' lines had to be taken up urgently and also because the R.D.C. Kollegal had advised in a similar case that the land might be purchased by private negotiations. p 11 C

4. The question for consideration is whether the private purchase may be accepted or whether ~~the~~ formal proceedings should be taken under the L.A. Act. The question will be examined by D Section.

5. There is no objection to the registry of the land as poramboke in the accounts

JBV
9-1-35
Copies

In the circumstances of the case it seems unnecessary to take proceedings under the

Land acquisition Act at present, provided
that Govt had absolute discretion to
the land & no enquiries
in this respect. The Govt might be informed
accordingly

15.1.35

15-1-35

A.S.(L.R.) Sett
Jt Sec 25.
24-1-35
24-1-35

To A.S.(L.R.)

Draft submitted

24.1.35

24/1/35 A.S.(L.)